

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6(4), the Department of Human Services proposes to amend Chapter 47, “Diversion Initiatives,” Iowa Administrative Code.

The proposed amendments:

- Change the name of the Promoting Healthy Marriage program to Promoting Awareness of the Benefits of a Healthy Marriage. The new name more accurately reflects the program’s purpose to promote awareness of the benefits of a healthy marriage.
- Align the implementation of annual adjustments to the federal poverty guidelines for the program with the annual adjustments to income and allotment limits for the Food Assistance program. This change provides for consistent eligibility determination both for households that are categorically eligible for Food Assistance due to eligibility for the Promoting Awareness of the Benefits of a Healthy Marriage program and for the relatively few households that cannot meet categorical eligibility criteria.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Any interested person may make written comments on the proposed amendments on or before December 7, 2010. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code section 234.6.

The following amendments are proposed.

ITEM 1. Amend **441—Chapter 47**, Division I title and preamble, as follows:

DIVISION I PROMOTING AWARENESS OF THE BENEFITS OF A HEALTHY MARRIAGE

PREAMBLE

These rules implement the Iowa promoting awareness of the benefits of a healthy marriage program. This program uses federal funds from the Temporary Assistance to Needy Families (TANF) block grant to provide information to certain households about the benefits of a healthy and stable marriage. Eligibility for this program also establishes categorical eligibility for the Iowa food assistance program under 441—Chapter 65.

ITEM 2. Amend rules 441—47.1(234) and 441—47.2(234) as follows:

441—47.1(234) Eligibility criteria. Eligibility for the promoting awareness of the benefits of a healthy marriage program is always determined in conjunction with determination of eligibility for the food assistance program under 441—Chapter 65.

47.1(1) Application. There is no separate application for the promoting healthy marriage program. Eligibility for the program is determined whenever the department determines a household’s eligibility for food assistance.

47.1(2) Resources. There is no asset test for the promoting healthy marriage program.

47.1(3) *Income.* The household's gross countable monthly income determined according to rule 441—65.29(234) must be less than or equal to 160 percent of the current federal poverty guidelines for the household size. The income eligibility limits as described in this subrule are revised each October 1 to reflect the annual adjustment to the federal poverty guidelines.

47.1(4) *Otherwise eligible for food assistance.* The household must meet all eligibility criteria for the food assistance ~~program~~ except as provided in this rule. A household that includes a member who is currently disqualified from the food assistance ~~program~~ due to an intentional program violation is not eligible for the ~~promoting healthy marriage~~ program.

47.1(5) *Minimum food assistance benefit.* The household must be eligible for a monthly food assistance benefit greater than zero. Households with a monthly food assistance benefit of zero are not eligible for the ~~promoting healthy marriage~~ program.

441—47.2(234) *Notice and eligibility period.* A household that meets all of the eligibility criteria in rule 441—47.1(234) shall receive written notice of its eligibility for the promoting awareness of the benefits of a healthy marriage program.

47.2(1) No change.

47.2(2) *Eligibility period.* A household that is determined eligible for the ~~promoting healthy marriage~~ program shall remain eligible for the program until the earlier of the following events:

a. and *b.* No change.